

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1092
93RD GENERAL ASSEMBLY

Reported from the Committee on Commerce, Energy and the Environment, April 6, 2006, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

5311S.03C

AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to the broadband protection act.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 67, RSMo, is amended by adding thereto one new section, to be known as section 67.2700, to read as follows:

67.2700. 1. This section shall be known and may be cited as the "Broadband Protection Act".

2. As used in this section the following terms shall mean:

(1) "Broadband service", a service capable of interactive communications with download speeds equal to or exceeding 200 kilobits per second and upload speeds in excess of 200 kilobits per second;

(2) "Broadband provider", any entity providing broadband service;

(3) "Political subdivision", a city, town, village, county, or any agency or unit of the state.

3. No political subdivision of the state of Missouri may attempt to regulate the content, cost, or distribution of data, audio, video, or information of any kind over a broadband connection or impose any franchise requirement on any broadband provider or request anything of value from the broadband provider as a condition of offering broadband service.

4. Nothing in this section shall prohibit broadband providers from entering into voluntary agreements with political subdivisions when public facilities may be used to facilitate the expansion of broadband in Missouri.

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